

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

CV. NO. 04-00502 DAE-BMK

`) `ILIO`ULAOKALANI  
COALITION, a Hawaii nonprofit  
corporation; NA `IMI PONO, a  
Hawaii unincorporated association;  
and KIPUKA, a Hawaii  
unincorporated association,  
`)  
Plaintiffs,  
`)  
vs.  
`)  
ROBERT M. GATES, Secretary of  
United States Department of  
Defense; and PETE GEREN,  
Secretary of the United States  
Department of the Army,  
`)  
Defendants.  
`)

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## ORDER TO SHOW CAUSE

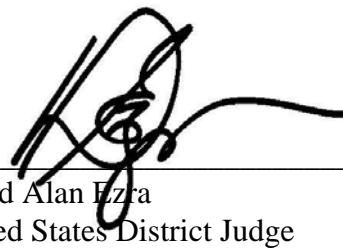
On December 29, 2006, this Court issued an Order Setting Interim Injunction, enjoining Defendants from implementing, executing, or proceeding with various activities, including grading, land acquisition, and unexploded ordinance clearance, for the term of the interim injunction. (Doc. # 168.) In that Order, the Court stated that the injunction would “remain in place until either Defendants have complied with the National Environmental Policy Act, or the parties return to this Court with changed circumstances.” (*Id.* at 2.)

On April 15, 2008, Defendants filed their Notice of Record of Decision, notifying the Court and Plaintiffs that the Army had complied with the National Environmental Policy Act and released a draft environmental impact statement. (Doc. # 255.) In their Notice, Defendants state that Hawaii was selected as the location to permanently station the 2/25th Stryker Brigade Combat Team. (Id. at 2-3.)

No parties have filed any documents subsequent to this Notice of Record of Decision. The Court hereby enters an Order to Show Cause. It appears the requirements of this Court's Order and the Ninth Circuit's remand have been met. The parties may file simultaneous briefs within 10 days from the filing of this Order as to why a Court's judgment should not be entered in this case. At that time, the Court will take the matter under advisement.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, September 23, 2009.



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David Alan Ezra  
United States District Judge

‘Ilio`ulaokalani Coalition et al. v. Gates et al., CV No. 04-00502 DAE-BMK;  
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